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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,386	11/15/2001	Joe Nathan Brown	AUS920010875US1	7328

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EXAMINER	
NGUYEN, MAIKHANH	
ART UNIT	PAPER NUMBER
2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/998,386	BROWN ET AL.	
	Examiner	Art Unit	
	Maikhanh Nguyen	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 June 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-10,12,14-21,23,25-32,34,36-43 and 45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-10,12,14-21,23,25-32,34,36-43 and 45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the amendment filed 06/05/2008.

Claims 1, 3-10, 12, 14-21, 23, 25-32, 34, 36-43, and 45 are currently pending. Claims 1, 9, 12, 23, 34, 42, and 45 have been amended. Claims 1, 12, 23, 34, and 45 are independent claims.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3-10, 12, 14-21, 23, 25-32, 34, and 36-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 12, 23, 34 recite the limitations: "*the option*" [Claim 1, line 12; Claim 12, line 13; Claim 23, line 13; and Claim 24, line 13]. There are insufficient antecedent basis for these limitations in the Claims.

Dependent claims 3-10, 14-21, 25-32, and 36-43 are rejected for fully incorporating the deficiencies of their base claims.

Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 12, 23, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by **Boys** (US 20010048677 A1), Publication Date: 12/2001).

As to claims 1, 12, 23, and 34:

Boys teaches [see ¶¶ 0059-0062] a method, computer program product, apparatus, and computer system of making links *(e.g., hyper-links)* that are not easily identified in a displayed Web document *(e.g., WEB pages)* by a user *(e.g., a user)* to be clearly recognizable comprising:

- displaying the Web document *(e.g., WEB pages)* in a browser *(e.g., browser 103)* the Web document have a plurality of embedded links *(e.g., hyper-links)* and the browser including a highlighting button *(e.g., a selection via highlighter bar 55 and presses instant play button 57)* which when asserted highlights *(e.g., highlights)* the plurality of embedded links in the displayed document *(e.g., display only the audio hyper-links on that page);*

- enabling the user to assert the highlight button to highlight the plurality of links embedded in the Web document; and highlighting the plurality of embedded links in the Web document in response to the user asserting the option *(e.g., [A]n innovative function of audio browser 103 involves accessing a hyper-link and activating it with one initiation action provided by a user. This may be accomplished via writing the capability into the browser software…When a user highlights a selection via highlighter bar 55 and presses instant play button 57,*

browser 103 will navigate to the URL and display only the audio hyper-links on that page).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 3, 5-6, 8-10, 14, 16-17, 19-21, 25, 27-28, 30-32, 36, 38-39, 41-43, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boys** in view of **Bates et al.** (US 5987482 -issued 11/16/1999 - hereinafter, **Bates'482**).

As to claims 3, 14, 25, and 36:

Boys does not specifically teach the plurality of embedded links flash to highlight the links.

Bates'482 teaches the plurality of embedded links flash to highlight the links *(e.g., blinking; col. 9, lines 5-18).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boys with Bates'482 because it would have provided flexibility when highlighting hyperlinks in the web document.

As to claims 5, 16, 27, and 38:

Bates'482 teaches the plurality of embedded are displayed using a larger font to highlight the links *(e.g., different colors, font face/sizes, styles; col. 9, lines5-18).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boys with Bates'482 because it would have provided flexibility when highlighting hyperlinks in the web document.

As to claim 6, 17, 28, and 39:

Bates'482 teaches the plurality of embedded are displayed using a different font to highlight the links *(e.g., different colors, font face/sizes, styles; col. 9, lines5-18).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boys with Bates'482 because it would have provided flexibility when highlighting hyperlinks in the web document.

As to claims 8, 19, 30, and 41:

Bates'482 teaches the plurality of embedded links are displayed using an enlarged and the links target area enlarged to highlight the links *(col.9, lines 19-col. 10, line 29; see also figs. 9-11 and associated text).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boys with Bates'482 because it would have provided flexibility when highlighting hyperlinks in the web document.

As to claims 9, 20, 31, and 42:

Bates'482 teaches the plurality of embedded links are duplicated and displayed in a different area in the browser to highlight the links *(col. 4, lines 25-40; col. 6, line 27-col.7, line 57).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boys with Bates'482 because it would have provided flexibility when highlighting hyperlinks in the web document.

As to claims 10, 21, 32, and 43:

Bates'482 teaches when a duplicated link is selected, its corresponding link in the web document flashes using a different or larger font *(e.g., different colors, font faces/sizes, styles … blinking; col. 9, lines 5-18).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bates'226 with Bates'482 because it would have provided flexibility when highlighting hyperlinks in the web document.

As to claim 45:

The rejection of claim 1 above is incorporated herein in full. Additionally, claim 45 recites the highlight button being able to toggle off to de-highlight the links; and enlarging the plurality of links and the target areas upon user command to

highlighting the plurality of the links, the user command including toggling on the highlight button.

Bates'482 teaches asserting an icon in the browser, the icon being able to toggle off to de-highlight the links *(e.g., determine whether internal links have been enabled. In particular, a user may be given the option of disabling internal links so that the links may not be navigated, or may not even be shown… by setting the display properties for internal links to be that of the surrounding text such that the links are not highlighted to a user. Also, the selection of internal links may be disabled in the link selection handling routines for the browser; col. 7, lines 35-57);* and enlarging the plurality of links and the target areas upon user command to highlighting the plurality of the links, the user command including toggling on the icon *(col.9, lines 19-col. 10, line 29; see also figs. 9-11 and associated text).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Bates'226 with Bates'482 because it would have facilitated highlighting/unhighlighting hyperlinks in the web document.

Claims 4, 7, 15, 18, 26, 29, 37, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boys** in view of **Bates et al.** (GB 2 336 226 – Publication Date: 10/1999- hereinafter, **Bates'226**).

As to claims 4, 15, 26, and 37:

Boys does not specifically teach the plurality of embedded links are displayed in the different color to highlight the links

Bates'226 teaches the plurality of embedded links are displayed in the different color to highlight the links (e.g., *Selectable hypertext links typically appear on a web page as highlight text displayed in a different color to distinguish the hypertext links from other, non-selectable, text on the web page; page 2, lines 21-29; page 4, lines 5-16).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boys with Bates'226 because it would have provided flexibility when highlighting hyperlinks in the web document.

As to claims 7, 18, 29, and 40:

Boys does not specifically teach the plurality of embedded links are emboldended to highlight the links.

Bates'226 teaches the plurality of embedded links are emboldended to highlight the links *(e.g., links 418 appear underlined and in bold face type; page 10, lines 35-44).*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Boys with Bates'226 because it would have provided flexibility when highlighting hyperlinks in the web document.

Response to Arguments

5. Applicant's arguments filed on 06/05/2008 have been fully considered but are deemed to be moot in view of the new grounds of rejection necessitated by Applicant's amendments.

Conclusion

6. The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Maikhanh Nguyen/

Examiner, Art Unit 2176

/Doug Hutton/
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